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SILICON LABORATORIES INC.
ATTN: LEGAL AFFAIRS
400 W. CESAR CHAVEZ
AUSTIN, TX 78701

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OFFICE OF PETITIONS

In re Application of Nir Tal et al. :
Reissue Application No. 09/771,010 :
Reissue Filing Date: January 26, 2001 :
Reissue of Patent No. 5,864,714 :
Original Issue Date: January 26, 1999 :
Attorney Docket No. SILA:310 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.47(a) filed October 25, 2007, and supplemented November 2, 2007, which is being treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR 1.67 and 1.63 where they require that a supplemental declaration be executed by the named inventors.¹

The petition is granted.

In view of the efforts recounted in the petition to obtain the signature of Ron Cohen, it is agreed that justice would be served by waiving the requirement for his signature on the supplemental declaration filed October 25, 2007, and supplemented November 2, 2007.

The supplemental declaration is accepted, on petition, with the signature of two of the inventors, but without the signature of Cohen.

Technology Center Art Unit 2116 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions

¹ Once an application has received a fully executed oath or declaration and been placed on the files for examination, the provisions of 37 CFR 1.47 no longer apply. Rather, the remedy for treating an inventor's refusal to also sign a supplemental oath or declaration is waiver of 37 CFR 1.67. See MPEP 603.